FINANCE SECRETARIAT

Delegation of powers to Heads of Departments in the Mysore State in the matter of disposal of pending pension cases in respect of the employees of the Ex-Hyderabad Government who retired prior to 1st November 1956 from the Karnatak Area of the Ex-Hyderabad State.

READ—

Government Order No. FD 185 PEN 58, dated the 8th December 1958, regarding the disposal of pending pension cases in respect of the employees of the Ex-Hyderabad Government, who retired prior to 1st November 1956 from the Karnatak Area of the Ex-Hyderabad State or were on leave preparatory to retirement on or before that date.

ORDER NO. FD 185 PEN 58, DATED BANGALORE, THE 25TH MARCH 1959 (CHAITRA 4, SAKA ERA 1881).

The Government of Andhra Pradesh have reported that certain powers have been delegated by that Government to Heads of Departments under that Government in regard to the expeditious disposal of pending pension cases and desire that similar powers may be delegated to the Heads of Departments of the Mysore State. Government accordingly direct that the following powers be exercised by the Heads of Departments of Mysore State in connection with the disposal of pension cases only *in respect of the employees of the Ex-Hyderabad State, who retired prior to 1st November* 1956 *or who were on leave preparatory to retirement on or before that date*, which are being dealt with by the Government of Andhra Pradesh and the Accountant-General, Andhra Pradesh:—

I. *Condonation of deficiencies in qualifying service.*—Under the orders of Hyderabad Government, certain employees have been compulsorily retired after 25 and 30 years' qualifying service under the Old and Revised Pension Rules, with a view to create vacancies for absorption of retrenched personnel. In the application of these orders, instances have occurred where the Heads of Departments retired some employees rather hurriedly in the presumption that they had completed the required period of qualifying service. When the pension papers were referred to the Accountant-General, Andhra Pradesh, it was disclosed that in some cases the employees had not completed the required period of qualifying service, due to which their title to pension could not be verified, and so the pension cases have been held up. It has, therefore, been decided that in relaxation of the Hyderabad Finance Department Circular No. 58, dated 4th June 1954, deficiencies in service to the extent of 12 (twelve) months arising out of orders of compulsory retirement of Government servants be condoned by the authorities competent to sanction pension.

II. *Conversion of breaks in service into extraordinary leave.*—Some pension cases are pending disposal, because spells of unauthorised absence from duty of retired Government servants have not been regularised in any manner. It is, therefore, decided that the power of converting such unauthorised absence into extraordinary leave both in respect of inferior and superior Government servants, be delegated to the authorities competent to sanction extraordinary leave in terms of Rule 444 of the Hyderabad Civil Services Rules, Manual (8th Edition), Volume I.

III. *Condonation of delays in submission of Medical Certificates in cases of invalid pension.*—Under the rules, the medical certificate is required to be produced within one year of the application for invalid pensions, and condonation of delays beyond this limit requires sanction of Government. Some cases of pension are reported to be pending due to non-submission of medical certificates within the prescribed period. In such cases, it is decided that the Heads of Departments should condone delays in submission of medical certificates in all cases where they are satisfied that the delay was due to reasons beyond the control of the applicants. A certificate to this effect should invariably be left on record by the Heads of Departments when exercising this power, solely in the pending cases of pension.

IV. *Settlement of pension cases or Jagir employees whose service records are not available.*—In some pension cases of Jagir employees, the difficulty is that their service particulars are not available. It is, therefore, decided that such cases may be dealt with in accordance with the procedure laid down in Rule 337 of the Hyderabad Civil Services Rules, Manual (8th Edition), Volume I, after the competent authority satisfies itself before issuing necessary orders. For this purpose, the Head of Department will be the competent authority for taking a decision so far as Gazetted Officers are concerned, while in respect of cases of non-gazetted staff, the competent authority will be the officer who is competent to fill up the appointment vacated by the retiring Government servant. Appeals against the orders of the Heads of Departments will lie to Government and appeals against the orders of the authority dealing with the non-gazetted cases will lie to the Head of the Department. The decision of the appellate authority in each case will be final.

V. *Adjustment of leave and pension contribution of Public Works Department employees.*—A number of pension cases of Public Works Department employees deputed to Projects or other works are pending settlement due to non-adjustment of leave and pension contribution during the periods of deputation. As no leave and pension contribution in such cases is recoverable from the employees, it has been decided that the total amount involved in the payment of leave and pension contribution of the employees should be debited to the Public Works Department. The Public Works Department will earmark a suitable provision for this purpose out of their budgeted allotment.

VI. *Non-settlement of leave allowance prior to retirement.*—Some service and compassionate pension cases are pending on account of non-settlement of leave allowances of the employees retired or deceased. Under the rules, no claims to pay and allowances, which are not preferred within six months after their becoming due, can be paid without an authority from the Accountant-General and claims of Government servants to arrears of pay or allowances which have been allowed to remain in abeyance for a period exceeding one year cannot be investigated by the Accountant-General except under special orders of Government. With a view to expedite the disposal of pending pension cases, it has been decided that in respect of claims which have remained in abeyance for more than one year, the powers at present vested in the Government be delegated to the concerned Heads of Departments, who will be competent to sanction the arrears claims of leave salaries, provided the leave allowances are strictly admissible under the rules.

By Order and in the name of the Governor of Mysore,

G. MATHIAS,
Secretary to Government,
Finance Department.

Issues directions to the Heads of Departments in regard to the classification of Cash Allowance under the head "Pay of Establishment" instead of under the head "Other Allowances."

OFFICIAL MEMORANDUM

No. FD 9 BUD 59, DATED BANGALORE, THE 20TH MAY 1959
(VAISHAKHA 30, SAKA ERA 1881).

It has been found from the details of Estimates furnished by certain Heads of Departments and Estimating Officers that the provision towards "Cash Allowance" has been included under the head "Other Allowances."

2. The "Cash Allowance" is treated as "Special Pay" under Rule 8(42) of the Mysore Civil Service Rules, 1958 and is therefore to be classified under the head "Pay of Establishment" in the accounts. The Heads of Departments, Estimating Officers and other Drawing Officers are therefore directed to see that the "Cash Allowance" is debited to the head "Pay of Establishment" while preparing the monthly pay bills, etc., even though provision therefor is included in the Appendix "B" Estimates for 1959-60 under the head "Other Allowances".